MINUTES OF THE REGULAR CITY COUNCIL MEETING TUESDAY- -FEBRUARY 17, 2009- -7:30 P.M.

Mayor Johnson convened the Regular Meeting at 7:39 p.m. Councilmember Matarrese led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers deHaan, Matarrese, and

Mayor Johnson - 3.

Absent: Councilmembers Gilmore and Tam - 2.

AGENDA CHANGES

 $(\underline{09-069})$ Mayor Johnson announced that the Public Hearing to consider an appeal [paragraph no. $\underline{09-078}$] would be continued to the March 3, 2009 Council Meeting at the request of the Appellant.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

 $(\underline{09-070})$ Proclamation declaring February 17, 2009, as Alameda Chamber Day.

Mayor Johnson read and presented the proclamation to Blake Brydon, Chamber President.

Mr. Brydon thanked the Council for the proclamation; stated the City has been a tremendous help to the Chamber; thanked the community for the support.

 $(\underline{09-071})$ Proclamation declaring March 1 through April 11, 2009 as the period for the second annual "Across the Pages: an Alameda Community Reads" Program.

Mayor Johnson read and presented the proclamation to Annemarie Meyer, Supervising Librarian, Adult Services.

Ms. Meyer thanked the Council for the proclamation; outlined programs available to the community; provided mystery books to Council.

CONSENT CALENDAR

Councilmember Matarrese moved approval of the Consent Calendar.

Vice Mayor deHaan seconded the motion, which carried by unanimous voice vote - 3. [Absent: Councilmembers Gilmore and Tam - 2] [Items so enacted or adopted are indicated by an asterisk preceding the

paragraph number.]

(*09-072) Minutes of the Special and Regular City Council Meetings held on February 3, 2009. Approved.

(*09-073) Ratified bills in the amount of \$1,852,353.63.

(*09-074) Recommendation to authorize the execution of a Lead-Based Paint Hazard Reduction Grant Agreement with Alameda County Lead Poisoning Prevention Program. Accepted.

(*09-075) Resolution No. 14309, "Authorizing the City Manager to Submit an Amended Application for Measure B Paratransit Funding for Fiscal Year 2008-2009 and to Execute All Necessary Documents to Implement the Project." Adopted.

(*09-076) Resolution No. 14310, "Approving Parcel Map 9757 (1531-1533 Morton Street)." Adopted.

CITY MANAGER COMMUNICATIONS

 $(\underline{09-077})$ The Deputy City Manager gave an update on the State budget and federal stimulus package.

Councilmember Matarrese inquired whether the lagoon system would qualify for funding since it is part of the City's urban runoff system.

The Deputy City Manager responded that lagoon projects might qualify for loans; stated the Bay Farm Island Shoreline and Seawall Project is listed as one of the 103 Corp of Engineers eligible projects.

Vice Mayor deHaan noted the Community Development Block Grant (CDBG) funding has some shortfalls.

The Deputy City Manager stated there is always a need for CDBG funding.

Mayor Johnson inquired whether the State budget eliminated funding for local transit agencies, to which the Deputy City Manager responded in the affirmative.

Councilmember Matarrese inquired whether the Water Emergency Transit Authority (WETA) is included.

The Deputy City Manager responded that she did not know; stated

WETA has a variety of funding sources.

Councilmember Matarrese requested information on whether WETA funds are in jeopardy due to the State cutting all funding for local transit agencies.

Mayor Johnson stated the [WETA] transition plan should be completed by July.

The Deputy City Manager stated the transition plan would be completed in July, but the transition would not happen until January 2010.

Vice Mayor deHaan inquired whether any environmental super funding has been identified.

The Assistant City Manager responded a special \$300 million line item did not survive; stated super funds are only for non-federal property.

Mayor Johnson thanked the Deputy City Manager for doing a good job in keeping Alameda ahead of the game.

REGULAR AGENDA ITEMS

(*09-078) Public Hearing to consider an appeal of the Historical Advisory Board's denial of a request to remove 2413 Buena Vista Avenue from the Alameda Historical Building Study List and denial of a certificate of approval to allow demolition of the structure; and adoption of related resolution. Continued to March 3, 2009.

(09-079) Public Hearing to consider Introduction of an Ordinance Amending the Alameda Municipal Code by Adding Article XX to Chapter XIII (Building and Housing) and Amending Subsection 30-7.12 (Reduction in Parking Requirements for Existing Facilities) of Section 30-7 (Off-Street Parking and Loading Space Regulations) of Chapter XXX (Development Regulations), By Adding Subsection 30-7.12(c) to Allow for Reduction in Parking Requirements for Seismic Retrofit. Introduced.

The Building Official gave a Power Point presentation.

Mayor Johnson inquired whether a notification timeframe has been established.

The Building Official responded the first notifications would go out late April or early May; stated notifications for larger

buildings would be first.

Mayor Johnson inquired how the appeal process would work.

The Building Official responded the initial appeal would need to be filed with the Building Official within thirty days; stated the Appellant could appeal the Building Official's decision to the Housing and Building Code Hearing and Appeals Board within 30 days; a lot of appeals are not expected; soft story identification is an engineering issue.

Speakers: Sandi Garcia, Alameda; James D. Leach, Alameda; Rob Platt, Alameda Association of Realtors; Carl Searway; John Fox; Steve Edrington, Rental Housing Association of Northern Alameda County; Mark Irons, Alameda; Karl Beckmann, Beckmann Engineering and Construction; Dennis Cox, Alameda; Betsy Mathieson, Alameda.

Vice Mayor deHaan inquired how many soft-story buildings are under five units.

The Building Official responded that he does not have the number; stated there are more buildings under five units than large buildings.

Vice Mayor deHaan inquired whether the 2003 Code was a major update.

The Building Official responded the 2003 Code addressed existing buildings; stated the International Existing Building Code is different than the normal Code; Chapter A4 specifically addresses retrofit of soft-story buildings; work done in 1998 could meet Chapter A4 requirements.

Vice Mayor deHaan inquired whether an engineering report would be required for retrofitting prior to 2003, to which the Building Official responded an engineering report may or may not be needed.

Vice Mayor deHaan inquired whether other cities have adopted a soft-story ordinance.

The Building Official responded Berkeley adopted a similar ordinance; stated Fremont adopted a mandatory retrofit ordinance; San Francisco is in the process of establishing an ordinance; Oakland is conducting a survey; most cities are taking the matter seriously.

Vice Mayor deHaan inquired whether the proposed ordinance is

similar to other cities ordinances.

The Building Official responded the proposed ordinance is similar to Berkeley's ordinance but differs from Fremont's mandatory retrofit ordinance.

Vice Mayor deHaan noted someone might want to turn a boxed in first floor into livable space.

The Building Official stated the issue is a concern..

Vice Mayor deHaan inquired how parking spaces could be retained.

The Building Official responded the Planning and Building Director would be able to allow some exceptions to parking requirements; stated loosing a space or two might work on larger property.

Vice Mayor deHaan stated some existing street parking problems are a result of units built in the 1950's and 1960's; inquired whether financial aid has been reviewed.

The Building Official responded CDBG funding has been reviewed.

Councilmember Matarrese inquired how many units are included in all of the large soft-story buildings, to which the Building Official responded 4,500 units.

Councilmember Matarrese inquired whether affordable housing funds could be used for a loan program.

The Development Services Director responded units would need to be low and very low-income units and be deed restricted.

Councilmember Matarrese stated 4,500 units represent approximately 10,000 people who could end up homeless; that he is interested in pursuing a loan program.

Mayor Johnson stated the City should not be involved in making loans; the City could work with a lender; inquired whether the implementation phase includes a priority for rental units over owner occupied units.

The Building Official responded the priority is the size of the buildings.

Mayor Johnson stated preserving parking should be emphasized; inquired whether mandatory upgrades would be the next phase.

The Building Official responded mandatory upgrades would not be addressed for approximately two years.

Mayor Johnson inquired how other cities handled phasing the engineering reports and implementing mandatory retrofitting.

The Building Official responded Berkeley's engineering reports have been in place for approximately eighteen months; Fremont is five years ahead of Berkeley and Alameda.

Councilmember Matarrese inquired whether a reimbursement and assistance program could be applied for similar to the unreinforced masonry buildings.

The Building Official responded staff reviewed some of the fee adjustments; a bigger deduction could be offered early on as an incentive.

Mayor Johnson inquired whether anything should be done with the gas lines in the interim.

The Building Official responded the Building Code requires that a shut off valve be installed whenever work is done on a gas line; stated the fix is fairly inexpensive.

Mayor Johnson inquired whether the shut off valve requirement should be added to the proposed ordinance.

The Building Official responded that staff would look into the matter.

Vice Mayor deHaan inquired whether a shut off valve is required when property is sold, to which the Building Official responded in the affirmative.

Vice Mayor deHaan stated information needs to be available to the public.

Councilmember Matarrese moved introduction of the ordinance.

Vice Mayor deHaan seconded the motion, which carried by unanimous voice vote - 3. [Absent: Councilmembers Gilmore and Tam - 2.]

 $(\underline{09-080})$ Discussion of alternative uses for the Mif Albright Golf Course and provide direction.

The Interim Golf Manager gave a brief presentation.

Vice Mayor deHaan inquired whether the Mif Albright Course closed because the Course lacked \$20,000 [in revenue] per year to sustain operation, to which the Interim Golf Manager responded the Course lacked closer to \$50,000.

Vice Mayor deHaan inquired why reopening the Course is not one of the alternatives.

The Interim Golf Manager responded direction was to close the Course.

Mayor Johnson stated Council direction was to look at other recreation uses while the Course is closed.

Speakers: James D. Leach, Alameda; Jane Sullwold, Alameda Golf Commission; Norma Arnerich, Alameda; Mel Grant, North Loop Business Group spoke on behalf of Eva Hom, North Loop Business Group; Michael Robles Wong, Community of Harbor Bay isle; Nick Villa, Islandia Homeowners Association; Elizabeth dos Remedios, Islandia Homeowners Association; and Leslie Robey, Islandia Homeowners Association. Additional speakers: Randy Rentschler, Alameda Soccer Club; Nick Villa, Islandia Homeowners Association.

Following Mr. Leach's comments, Mayor Johnson inquired whether the fence cost \$40,000, to which the Interim Golf Manager responded the cost was \$18,000.

Mayor Johnson requested the Interim Golf Manager to provide information on the Mif Albright Course making money.

The Interim Golf Manager stated a concerted effort was made to reduce rates and have special promotions to generate more revenue; rounds increased but revenue dropped because fees were cut; the discrepancy between the cost of running the Course and revenue is approximately \$50,000.

Vice Mayor deHaan stated water was and still is a concern.

Councilmember Matarrese stated open space would require some water.

Following Ms. Sullwold's comments, Councilmember Matarrese inquired whether the Golf Commission made a recommendation.

Ms. Sullwold responded that the Golf Commission was not aware of the staff recommendation. Mayor Johnson stated that the Golf and Recreation Commissions should review the recommendation.

Councilmember Matarrese stated a [Golf Commission] discussion would be valuable; the twelve acres should be looked at objectively.

Ms. Sullwold stated that a study should be performed regarding the need for additional softball and soccer fields.

Mayor Johnson stated the demand for softball and soccer field is huge; another issue is the highest and best use for the property; the Poppy Ridge Course should be reviewed; a nine-hole course could be structured back into the golf complex.

Ms. Sullwold stated there have been rumors that Ton Cowan's goal for the Mif Albright Course is really a new Harbor Bay Club in exchange for the property he owns behind Peet's Coffee.

Mayor Johnson stated a lot of rumors come out of the Golf Course.

Vice Mayor deHaan stated there was some concern about play on Sunday [in the rain]; requested that the matter be reviewed.

Ms. Sullwold stated that Kemper Sports is doing everything possible to maximize revenues; Kemper Sports wants a long-term contract.

Following Ms. Arnerich's comments, Mayor Johnson stated there should be a nine-hole course; Kemper Sports should consider the matter, but options should not be limited; Monarch Bay's nine-hole course is much better.

Following Mr. Grant's comments, Vice Mayor deHaan inquired who represents the homeowners.

Michael Robles Wong responded that he is the President of the Board for the Community of Harbor Bay Isle.

Vice Mayor deHaan inquired whether Mr. Wong is speaking on behalf of the Homeowners Association or just exploring the matter.

Mr. Wong responded that he is expressing an opinion and requesting Council to explore the issue; stated no vote has been taken.

Vice Mayor deHaan stated Alameda Point has a soccer complex used by Piedmont soccer; the field can be brought back for Alameda use at any point; revenue generation is the reason for allowing Piedmont

to use the field; the Mif Albright Course has activity all day; youth sports utilize fields after school and on weekends; the Course provides an activity for seniors.

Mayor Johnson suggested that the matter be brought back at the next meeting to allow Councilmembers Gilmore and Tam to comment.

Councilmember Matarrese stated that he wants some direction to be given; playing fields are in bad shape; the Woodstock field becomes a pool because there is no drainage; the City is short on fields; the City needs to take every opportunity to get the highest and best use; Council should give direction to get input from the Recreation and Golf Commissions and Kemper Sports; stated that he wants to ensure that the contractor is not squeezing every dollar at the expense of the Course.

The Interim Golf Manager stated Kemper Sports does not have any financial interest in the Course.

Councilmember Matarrese stated Kemper Sports' interest is in getting a long-term contract; rules need to be clear; the Recreation and Golf Commissions and Kemper Sports need to provide input on possible uses before the matter comes back to Council.

Mayor Johnson stated that she does not want to limit Kemper Sports to look at the Mif Albright Course as the only way to provide a nine hole course; the matter should come back at the next Council meeting; Councilmember Gilmore raised the issue and should be allowed to comment on the matter.

Vice Mayor deHaan stated that he concurs with direction given; tonight Council was to have a Closed Session regarding the price and terms of Village VI and Mif Albright Course; the matter was pulled; that he does not want to see the matter come back to Council until there has been dialogue; the Closed Session was premature.

Mayor Johnson stated that she would like to review include looking at the Village VI issue.

Vice Mayor deHaan stated that he received a phone call regarding a football field option; inquired whether a football field would be considered.

The Interim Golf Manager stated the all weather soccer field potentially could be used as a football field.

Mayor Johnson requested configurations for the Village VI and Mif Albright sites.

The City Manager summarized Council's direction: 1) obtaining additional input and recommendations from the Recreation and Golf Commissions and Kemper Sports; 2) addressing the Village VI issue; and 3) placing the matter on the next agenda for Councilmembers Gilmore and Tam to comment.

Mayor Johnson stated that she would like to review having two complete 18-hole courses or two 18-hole courses and a nine-hole course.

Vice Mayor deHaan stated the community needs to be engaged in the discussion of options.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

 $(\underline{09-081})$ Follow up discussion and direction on Internal Service Funds repayment plan.

Mayor Johnson stated that the Internal Service Funds were discussed at the Saturday Budget Meeting; that she wants to have further discussion on paying back the workers' compensation short fall.

Councilmember Matarrese stated that he thought the City had a balanced budget back in June; the budget was not balanced because the General Fund and other funds contributing to the workers' compensation fund did not pay enough into the budget and showed up as a deficit in the Internal Service Funds (ISF); the deficit was pushed onto the next year; the fund balance absorbs the debt; that he does not know how much unencumbered cash the City has because the workers' compensation debt encumbers the cash.

Vice Mayor deHaan stated the solution discussed on Saturday was to pay the debt over the next three years.

Mayor Johnson stated Information Technology (IT) has needs; the City Treasurer does not support the idea of moving money out of the vehicle reserve fund; money should only be moved out of the vehicle reserve fund to go to IT; the workers' compensation deficit should start to be paid for this year.

Vice Mayor deHaan stated setting the Vehicle Reserve Fund aside was a healthy move; taking money out now is not a good now; a question was raised Saturday regarding the spending history over the last five years; retirement expenses are outstanding; discussions involved bonds against the debt; direction was given to review other options.

The City Manager stated the Other Post Employment Benefits (OPEB) financing options would be shared with the Fiscal Sustainability Committee.

Councilmember Matarrese stated the issue needs to move rapidly; a drop-dead date is needed if the Fiscal Sustainability Committee wants input; the original direction was that the OPEB issue would be addressed this year.

The City Manager stated the Interim Finance Director is working on the [bond] validation suit with the City Attorney's office.

Councilmember Matarrese stated a specific date needs to be set for discussion; direction was given in June; time is slipping away.

Mayor Johnson stated Council could address the matter at the second meeting in March.

The City Manager inquired whether Council is requesting that the matter come back for action.

Mayor Johnson stated Council is requesting that the matter come back with a final plan.

Vice Mayor deHaan stated financing during this year is a concern; the news was concerning to Council; adjustments need to be made this year.

Mayor Johnson inquired whether the \$2.1 million workers' compensation expense includes this year.

The City Manager responded \$2.1 million is a projection through June 2009.

Vice Mayor deHaan stated a report should be provided on what was accumulated this year.

The City Attorney stated the City has a \$2.1 million loss reserve fund this year for medical payments; \$961,000 has been spent, which is different from the deficit.

Mayor Johnson inquired how costs are allocated.

The City Attorney responded departments are charged back for participating in the insurance pool; stated the amount is based on the number of employees within each department.

Mayor Johnson inquired whether each department is charged back at the end of the year.

The City Attorney responded the question is a Finance issue.

Mayor Johnson requested that the Interim Finance Director provide an explanation at the next meeting.

The City Manager stated the Interim Finance Director would also explain what is contributing to the projected deficit.

Mayor Johnson inquired whether money is set aside for medical expenses.

The City Attorney responded the \$2.1 million loss reserve fund is real money that has been set aside; stated the City processes medical payments through the fund; the workers' compensation budget for 2008-2009 was approximately \$3.1 million; the biggest piece is the loss reserve fund; the annual cost of participation in the risk pool is approximately \$600,000; medical payments and settlements run against the loss reserve fund, which is different from Labor Code 4850, another component of Police and Fire workers' compensation costs; carried by the Police and Fire Departments; the City is required by law to report the combination of Labor Code 4850 pay and all medical payments.

Mayor Johnson requested that the Interim Finance Director explain the appropriate way to handle allocating workers' compensation charges to departments.

Vice Mayor deHaan stated per capita does not seem to work; inquired whether AMP is included, to which the City Attorney responded in the affirmative.

Councilmember Matarrese requested that the Interim Finance Director provide information on the root cause of the workers' compensation deficit and proposed preventative action.

Vice Mayor deHaan stated the Planning and Building Department has seen a reduction in fees because of the economy; the issue could be

concerning for the rest of the year; that he would like staff to provide more information on the issue; the problem could be compounded by not taking care of the matter.

Mayor Johnson stated Council needs to provide clear direction on taking care of the ISF debt this year.

Vice Mayor deHaan stated he IT issue should be addressed also.

Mayor Johnson inquired whether direction was given to pay for the IT expense out of the Vehicle Replacement Fund.

Vice Mayor deHaan responded in the negative; stated the Vehicle Replacement Fund has been frozen; the IT expense would be an obligation this year; he would like to know the scope of work for the IT item; the need to update the system is a result of the audit.

Councilmember Matarrese stated the Interim Finance Director would bring back the IT proposal.

Mayor Johnson stated direction should be clear not to pay for the IT expense until further information is provided.

The City Manager stated the expenditure has not occurred; staff is projecting the expense; any plan would need to come to Council before resources are allocated; staff wanted to note that the budget did not have money for the expense this year; the proposal was to take the money from the Vehicle Replacement Fund.

Mayor Johnson inquired whether the plan is to address a way to build the IT fund.

The City Manager responded in the affirmative; stated the IT fund was implemented over the last three years.

Mayor Johnson stated the [IT] system is broken; upgrades need to be addressed; mandatory contributions should be established.

Vice Mayor deHaan inquired whether Council could reduce the amount authorized for contracts, to which the City Attorney responded Council would need to adopt an ordinance.

Councilmember deHaan stated that he would like to see more visibility for contracts over \$50,000.

Mayor Johnson stated the matter could be placed on the next Council

meeting.

Vice Mayor deHaan stated that he does not want to micromanage but would like to expand the communication level.

 $(\underline{09-082})$ Discussion and direction on the 90-day working capital fund balance for operating reserves in Special Revenue Funds.

Mayor Johnson stated Council needs to be clear on direction given; a financial policy should be established immediately.

The City Manager stated the Special Revenue Funds (SRF) could be brought back for discussion; there was no discussion about which funds are in compliance and which are not.

Mayor Johnson stated Council could give direction on a general policy and bring the matter back for adoption at the next Council meeting; direction should be given to maintain a 90-day working capital.

The City Manager stated the matter could be brought back to identify impacts.

Mayor Johnson stated adopting a policy now is important, not six months from now.

The City Manager stated some funds have restrictions; the issue would be brought back.

Mayor Johnson stated AMP might need to review the matter first.

Council member Matarrese stated information should come back to Council because AMP is part of the City; the same financial principles apply; having a specified working capital fund is universal and is a good, prudent practice regardless of the number of days.

Mayor Johnson stated that she wants AMP to have a policy.

Councilmember Matarrese stated Council needs to decide what needs to be done if less permits are coming to the Planning and Building Department and the department is overstaffed; information needs to be provided on whether the fund balance is being spent down, and, if so, for how long; numbers need to be provided.

Vice Mayor deHaan stated too often the focus is on the General Fund only; the SRF need to be reviewed; Council needs to decide what to

do when funds start disappearing.

Councilmember Matarrese stated the ISF absorbed a deficit that should have been attributed to the General Fund; the real cash deficit was buried; that he wants to ensure that there is a broad approach for the entire City budget including AMP, Housing Authority, and Enterprise Funds and that root causes are determined when there is a problem.

Vice Mayor deHaan stated more background is needed; taking \$2.1 from liquid reserves is a pretty good hit and cannot be taken lightly.

Mayor Johnson stated operational reviews are being done for public safety; consideration should be given to performing operational reviews for the entire City.

Vice Mayor deHaan inquired when the public safety review would come to Council, to which the City Manager responded the beginning of April.

Councilmember Matarrese stated the operational review is relevant to the 90-day working capital fund balance for operating reserves in SRF; that he would like to receive numbers on the affect that the economic downturn has had on the Planning and Building Department in order to fix any problems and apply standards for SRF.

The City Manager stated staff might not be able to provide information at the next Council meeting.

Councilmember Matarrese inquired whether staff knows how much money is coming in and going out; stated that he wants information on whether enough money is being brought in to cover operation and whether there is a draw down on the fund balance; that he wants the number now.

Vice Mayor deHaan stated the economy has changed drastically; whether other operational activities are having a downturn needs to be understood; the economic ramp up could take three years.

Mayor Johnson stated the City would be out of money in thirty months if everything stays status quo.

Councilmember Matarrese stated property assessments have declined and the City potentially could have less revenue next year.

Vice Mayor deHaan stated costs are going up and revenue is going down.

COUNCIL COMMUNICATIONS

 $(\underline{09-083})$ Vice Mayor deHaan commended the Public Works Department on the work done during recent storms; suggested an analysis and assessment on gutter ponding throughout the City be done while it is raining.

 $(\underline{09-084})$ Mayor Johnson stated the Fire Department responded to an apartment toilet leak, turned off the water and later went back to vacuum up the water; the response was not an appropriate use of public funds; requested staff to work with the ICMA representative to ensure that taxpayers' money is not being abused.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the Regular Meeting at 10:33 p.m.

Respectfully submitted,

Lara Weisiger City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING TUESDAY- -FEBRUARY 17, 2009- -6:00 P.M.

Mayor Johnson convened the Special Meeting at 6:10 p.m.

ROLL CALL - Present: Councilmembers deHaan, Matarrese, and

Mayor Johnson - 3.

Absent: Councilmembers Gilmore and Tam - 2.

The Special Meeting was adjourned to Closed Session to consider:

 $(\underline{09-066})$ Public Employee <u>Performance Evaluation</u>; Title: City Manager.

(09-067) Conference with Legal Counsel - Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9; Number of cases: One.

(09-068) Conference with <u>Real Property</u> Negotiators (54956.8); Property: 1855 N. Loop Road and 1 Clubhouse Memorial Drive; Negotiating parties: Village VI and Golf Course (Mif Albright); Under negotiation: Price and terms.

Following the Closed Session, the Special Meeting was reconvened and Mayor Johnson announced that regarding <u>Performance Evaluation</u>, Council met for periodic review of City Manager performance; no action was taken; regarding <u>Anticipated Litigation</u>, Council gave direction to Legal Counsel regarding a matter of anticipated litigation; and regarding <u>Real Property</u>, the matter will be continued.

Adjournment

There being no further business, Mayor Johnson adjourned the Special Meeting at 7:30 p.m.

Respectfully submitted,

Lara Weisiger City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

Special Meeting Alameda City Council February 17, 2009